

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

ONH AFC CS INVESTORS LLC, *et al.*,¹

Debtors.

Chapter 11 (Subchapter V)

Case No. 23-10931 (CTG)

(Jointly Administered)

**NOTICE OF AGENDA OF CONTINUED MATTERS SCHEDULED
FOR FEBRUARY 6, 2025, AT 2:00 P.M. (ET), BEFORE THE
HONORABLE CRAIG T. GOLDBLATT AT THE UNITED STATES
BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE**

This proceeding will be conducted in-person. All counsel and witnesses are expected to attend unless permitted to appear remotely via Zoom.

Please refer to Judge Goldblatt's Chambers Procedures (<https://www.deb.uscourts.gov/judge-craig-t-goldblatt>) and the Court's website (<http://www.deb.uscourts.gov/ecourt-appearances>) for information on who may participate remotely, the method of allowed participation (video or audio), Judge Goldblatt's expectations of remote participants, and the advance registration requirements.

ALL PARTIES WHO PREVIOUSLY REGISTERED FOR THE HEARING HELD ON FEBRUARY 5, 2025 MAY USE THE SAME ZOOM LINK TO ATTEND THIS HEARING.

RESOLVED MATTERS:

1. Liquidating Trust's Motion to Entry of an Order (A) Authorizing the Liquidating Trust to File Under Seal the Liquidating Trust's Motion for Entry of an Order (I) Enforcing the Confirmation Order, Schwartz Nightingale Settlement, and Security Agreement, (II) Approving the Trust's Exercise of Voting Rights and the Trust Acting as Attorney-in-Fact of Certain Schwartz Nightingale Parties, and (III) Granting Related Relief; and (B) Granting Related Relief [D.I. 380, filed January 21, 2025]

Response Deadline: January 29, 2025 at 4:00 p.m. (ET)

Responses Received: None.

¹ The last four digits of the Debtors' federal tax identification numbers are 1199 (ONH AFC CS Investors LLC) and 6326 (ONH 1601 CS Investors LLC). The Debtors' mailing address is 3445 Peachtree Road, Suite 1225 Atlanta, GA 30326.

Related Documents:

- A. [SEALED] Liquidation Trustee's Motion for Entry of an Order (I) Enforcing the Confirmation Order, Schwartz Nightingale Settlement, and Security Agreement, (II) Approving the Trusts Exercise of Voting Rights and the Trust Acting as Attorney-in-Fact of Certain Schwartz Nightingale Parties, and (III) Granting Related Relief [D.I. 378, filed January 15, 2025]
- B. [REDACTED] Liquidation Trustee's Motion for Entry of an Order (I) Enforcing the Confirmation Order, Schwartz Nightingale Settlement, and Security Agreement, (II) Approving the Trust's Exercise of Voting Rights and the Trust Acting as Attorney-in-Fact of Certain Schwartz Nightingale Parties, and (III) Granting Related Relief [D.I. 381, filed January 21, 2025]
- C. The Schwartz-Nightingale Parties' Witness and Exhibit List for Hearing on February 5, 2025 at 3:00 p.m. ET [D.I. 390, filed February 3, 2025]**
- D. Notice of Liquidating Trust's Witness and Exhibit List for the Hearing on February 5, 2025 [D.I. 391, filed February 3, 2025]**

Status: Consistent with the record at the hearing held on February 5, 2025, an order granting the relief requested has been uploaded to CM/ECF in accordance with the Court's electronic order processing procedures. Accordingly, no hearing is required on this matter.

CONTINUED MATTERS GOING FORWARD:

- 2. Motion of Schwartz-Nightingale Parties to Quash Subpoenas Issued by Liquidating Trustee of the ONH Liquidating Trust [D.I. 371, filed January 6, 2025]
Response Deadline: January 21, 2025 at 4:00 p.m. (ET)

Responses Received:

- A. Liquidating Trust's Response to Motion of Schwartz-Nightingale Parties to Quash Subpoenas Issued by Liquidating Trustee of the ONH Liquidating Trust [D.I. 379, filed January 21, 2025]

Related Documents:

- A. Order Granting Liquidating Trustee's Motion, Pursuant to Bankruptcy Rules 2004 and 7069, for Order Compelling Elchonon Schwartz to Appear for Examination and to Produce Documents in Connection Therewith [D.I. 333, filed October 15, 2024]
- B. Notice of Motion [D.I. 373, filed on January 7, 2025]

C. Schwartz-Nightingale Parties' Reply in Further Support of Their Motion to Quash Subpoenas Issued by Liquidating Trustee of the ONH Liquidating Trust [D.I. 387, filed January 31, 2025]

D. The Schwartz-Nightingale Parties' Witness and Exhibit List for Hearing on February 5, 2025 at 3:00 p.m. ET [D.I. 390, filed February 3, 2025]

E. Notice of Liquidating Trust's Witness and Exhibit List for the Hearing on February 5, 2025 [D.I. 391, filed February 3, 2025]

Status: This matter is going forward.

3. [SEALED] Liquidation Trustee's Motion for Entry of an Order (I) Enforcing the Confirmation Order, Schwartz Nightingale Settlement, and Security Agreement, (II) Approving the Trusts Exercise of Voting Rights and the Trust Acting as Attorney-in-Fact of Certain Schwartz Nightingale Parties, and (III) Granting Related Relief [D.I. 378, filed January 15, 2025]

Response Deadline: January 29, 2025 at 4:00 p.m. (ET)

Responses Received:

- A. Objection of Schwartz-Nightingale Parties to Liquidating Trust's Motion for Entry of an Order (I) Enforcing the Confirmation Order, Schwartz Nightingale Settlement, and Security Agreement, (II) Approving the Trust's Exercise of Voting Rights and the Trust Acting as Attorney-in-Fact of Certain Schwartz Nightingale Parties, and (III) Granting Related Relief [D.I. 386, filed January 29, 2025]

Related Documents:

- A. [REDACTED] Liquidation Trustee's Motion for Entry of an Order (I) Enforcing the Confirmation Order, Schwartz Nightingale Settlement, and Security Agreement, (II) Approving the Trust's Exercise of Voting Rights and the Trust Acting as Attorney-in-Fact of Certain Schwartz Nightingale Parties, and (III) Granting Related Relief [D.I. 381, filed January 21, 2025]
- B. Liquidating Trust's Reply to Objection by Schwartz Nightingale Parties to Motion to Enforce [D.I. 388, filed February 2, 2025]
- C. The Schwartz-Nightingale Parties' Witness and Exhibit List for Hearing on February 5, 2025 at 3:00 p.m. ET [D.I. 390, filed February 3, 2025]**
- D. Notice of Liquidating Trust's Witness and Exhibit List for the Hearing on February 5, 2025 [D.I. 391, filed February 3, 2025]**

Status: This matter is going forward.

Dated: February 6, 2025
Wilmington, Delaware

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/s/ Matthew R. Pierce

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